

REMARKS

Claims 21-24 and 27-31 are currently active.

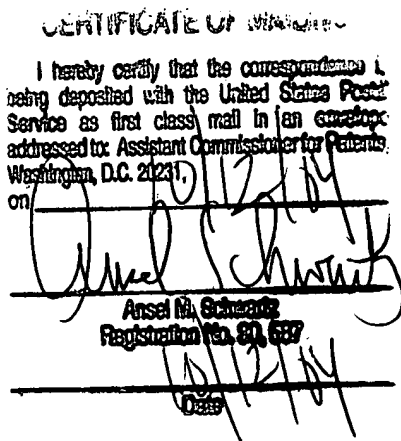
The Examiner has placed a restriction requirement on the above-identified patent application. The Examiner has identified a total of 35 groups in regard to the claims. However, applicant is very confused by the restriction requirement. In the preliminary amendment filed with the above-identified patent application (a copy of which is enclosed along with the return receipt card that has been date stamped by the mailroom of the United States Patent Trademark Office), Claims 1-20, 25, 26 and 32-39 have been canceled, with Claims 21-24 and 27-31 having been amended. The restriction requirement refers to Claims 1-39 and to the claims before they were amended.

In regard to the restriction requirement, at least in regard to the pending claims, applicant elects Claims 21-24, 27-29 and 31 as found in Group 26, with traverse. It is respectfully submitted that a patentability review of the claims of Group 26 will also reveal the patentability of the claims of Groups 25 and 27-30, since all the claims in Group 26 are also present in Groups 25 and 27-30, except for Claim 30. Even in regard to Claim 30, it is respectfully submitted that a patentability search of the elected claims will reveal the

patentability of Claim 30 without any additional searching having to be performed in different classes or subclasses than that searched for the elected claims.

If the Examiner does not agree the position of applicant, then once the restriction requirement is made final, applicant will cancel the non-elected claims.

In view of the foregoing amendments and remarks, it is respectfully requested that the outstanding rejections and objections to this application be reconsidered and withdrawn, and Claims 21-24 and 27-31, now in this application be allowed.



Respectfully submitted,

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By

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Attorney for Applicant



Susan NMN Ungar

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) DETECTION AND TREATMENT
) OF CANCER
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October 15, 2003

Sir:

PRELIMINARY AMENDMENT

Please enter the following amendments to the above-identified application.

Specification Amendments

On page 1, after the title, insert the following:

This is a continuation of U.S. patent application serial number 09/848,141 filed May 3, 2001, abandoned, which is a continuation of U.S. patent application serial number 08/920,654 filed August 15, 1997, now U.S. Patent No. 6,514,685 issued February 4, 2003, which is a continuation of U.S. patent application serial number 08/308,141, abandoned.

On page 19, line 4, please enter the following Table 1:

Table 1

	ORGAN	TUMOR TYPE
1	Ovary	Adenocarcinoma Mucin.
2		Leukemia lymphoid
3	Limb	Agiosarcoma
4	Uterus	Adenocarcinoma
5	Soft Tis.	Sarcoma
6	Ovary	Adenocarcinoma Cystic
7	Rectum	Adenocarcinoma
8	Pelvis	Carcinomatosis

9		Generally Spread Tumor
10	Brain	Astrocytoma
11	Lung	Neoplasia
12	Liver	Primary Hepatoma
13	Pelvis	Neoplasia
14	Kidney	Neoplasia (Metastatic)
15	Colon	Neoplasia
16	Bone	Osteosarcoma

	A	B	C	D	E	F	G
1							
2		TABLE 1					
3							
4		CANCER+PATIENTS					
5							
6	Case #	Name	Sex	LOCALIZATION	FINAL DIAGNOSIS		
7							
8	1	J.G.	F	Soft Tis.	Sarcoma		
9	2	O.R.	M	Bladder	Epithelioma		
10	6	A.B.	F	Ovary	Adenocar Mucin.		
11	10	M.S.	F		Leukemia lymphoid		
12	14	M.B.	F	Limb	Agiosarcoma		
13	15	G.B.	F	Uterus	Adenocarcinoma		

14	18	J.E.	M	Soft Tis.	Sarcoma	
15	19	S.F.	F	Ovary	Adenocarcinoma Cystic	
16	24	E.G.	F	Rectum	Adenocarcinoma	
17	32	M.C.O.	F	Pelvis	Carcinomatosis	
18	33	E.M.	F	Abdomen	Gen. Spread Tumor	
19	34	H.D.G.	F	Brain	Astrocytoma	
20	35	C.B.	M	Lung	Neoplasia	
21	37	R.F.	M	Liver	Primary Hepatoma	
22	67	C.D.	M	Pelvis	Neoplasia	
23	68	C.M.	F	Kidney	Neoplasia (Met)	
24	69	U.D.S.	M	Colon	Neoplasia	
25	41	J.B.	F	Bone	Osteosarcoma	
26						
27						
28						
29		CANCER-PATIENTS				
30						
31	39	H.T.	F	Lung	Vasc. hypoplasia	
32	40	M.L.	F		Vascular disease	
33	58	O.H.	M	Brain	Meningioma	
34	7	S.R.	M	Lymph node	Imflamatory	
35	16	S.C.	M	Liver	Cyrrosis	
36	21	B.P.	M	Prostate	Adenoma	
37	29	M.B.	F	Brain	Meningeal hemorrhage	

38	30	H.A.	M		Vascular disease	
39	44	A.A.	M		Vascular disease	
40	45	J.F.T.	M	Brain	Ischemic accident	
41	46	G.N.	M	Kidney	Malformation	
42	47	H.P.P.	M		Vascular disease	
43	48	M.S.	F		Vascular disease	
44	51	B.O.	F		Vascular disease	
45	53	J.G.	M		Hypertension	
46	54	J.S.	M		Hypertension	
47	55	J.M.	M		Normal	
48	56	A.T.	M		Vascular disease	
49	61	F.D.	M	Brain	Meningeal hemorrhagy	
50	N1	J.L.I.	M		Normal	
51	N2	E.V.	M		Normal	
52	N3	F.F.	M		Normal	

Pages 37-40, please delete the following table.

	A	B	C	D	E	F	G
1							
2		TABLE 1					
3							
4		CANCER+PATIENTS					
5							

6	Case #	Name	Sex	LOCALIZATION	FINAL DIAGNOSIS		
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11	10	M.S.	F		Leukemia lymphoid		
12	14	M.B.	F	Limb	Agiosarcoma		
13	15	G.B.	F	Uterus	Adenocarcinoma		
14	18	J.E.	M	Soft Tis.	Sarcoma		
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17	32	M.C.O.	F	Pelvis	Carcinomatosis		
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22	67	C.D.	M	Pelvis	Neoplasia		
23	68	C.M.	F	Kidney	Neoplasia (Met)		
24	69	U.D.S.	M	Colon	Neoplasia		
25	41	J.B.	F	Bone	Osteosarcoma		
26							
27							
28							
29		CANCER-PATIENTS					

30						
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32	40	M.L.	F		Vascular disease	
33	58	O.H.	M	Brain	Meningioma	
34	7	S.R.	M	Lymph node	Imflamatory	
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38	30	H.A.	M		Vascular disease	
39	44	A.A.	M		Vascular disease	
40	45	J.F.T.	M	Brain	Ischemic accident	
41	46	G.N.	M	Kidney	Malformation	
42	47	H.P.P.	M		Vascular disease	
43	48	M.S.	F		Vascular disease	
44	51	B.O.	F		Vascular disease	
45	53	J.G.	M		Hypertension	
46	54	J.S.	M		Hypertension	
47	55	J.M.	M		Normal	
48	56	A.T.	M		Vascular disease	
49	61	F.D.	M	Brain	Meningeal hemorrhagy	
50	N1	J.L.I.	M		Normal	
51	N2	E.V.	M		Normal	
52	N3	F.F.	M		Normal	

Claim Amendments

Claims 1-20 (canceled)

Claim 21 (currently amended): A method for treating cancer cells in a patient comprising the steps of:

introducing an increased level of labeled AFP-receptor antibodies against alphafetoprotein in relation to normal non-malignant individuals into ~~to cancer cells in the~~ patient; and

reacting the ~~AFP-receptor~~ labeled antibodies against alphafetoprotein with ~~the~~ AFP alphafetoprotein receptor or alphafetoprotein receptor binding sites on the alphafetoprotein receptor for the labeled antibody of ~~the~~ cancer cells from the group consisting of ovary, uterus, rectum, brain, liver, blood, serum and bone of the patient to inhibit growth of the cancer cells or kill the cancer cells.

Claim 22 (currently amended): A method as described in Claim 21 wherein the introducing step includes the step of injecting the ~~AFP-receptor~~ labeled antibodies into the patient.

Claim 23 (currently amended): A method as described in Claim 22 wherein the injecting step includes the step of injecting through an IV into the patient's blood stream the ~~AFP-receptor~~ labeled antibodies.

Claim 24 (currently amended): A method as described in Claim 22 wherein the injecting step includes the step of injecting the ~~AFP-receptor~~ labeled antibodies into the patient at a location in proximity to the cancer cells.

Claims 25 and 26 (canceled)

Claim 27 (currently amended): A method as described in Claim 21 wherein the reacting step includes the step of reacting ~~AFP~~ alphafetoprotein receptor of cancer cells of the patient with ~~AFP-receptor~~ the labeled antibodies so the ~~AFP~~ alphafetoprotein receptor of the cancer cells are blocked or functionally impaired.

Claim 28 (currently amended): A method as described in Claim 21 wherein the ~~AFP-receptor~~ labeled antibodies are ~~AFP-receptor~~ labeled antibodies which fix complement, and wherein the reacting step includes the step of reacting the ~~AFP-receptor~~ labeled antibodies which fix complement to the cancer cell so when complement chain reaction occurs, holes are punctured into the cancer cell's membrane which kill the cancer cell.

Claim 29 (currently amended): A method as described in Claim 21 wherein the ~~AFP-receptor~~ labeled antibodies are conjugated to drugs or toxins, and wherein the reacting step includes the step of reacting the ~~AFP-receptor~~ labeled antibodies conjugated with drugs or toxins to the cancer cell so the cancer cells engulf the drugs or toxins into the cancer cells where enzymes of the cancer cells cut the drugs or toxins free from the antibodies causing the cell to be irreversibly damaged and killed.

Claim 30 (currently amended): A method as described in Claim 21 wherein the ~~AFP-receptor~~ labeled antibodies are radiolabelled, and the reacting step includes the step of reacting the radiolabelled ~~AFP-receptor~~ antibodies with cancer cells in the patient so radiation from the radiolabelled ~~AFP-receptor~~ antibodies at a short distance from the cancer cell's DNA damages the DNA thus inducing death in the cancer cells.

Claim 31 (original): A method as described in Claim 21 wherein the antibodies are monoclonal antibodies, polyclonal antibodies, antibodies from a species different than the patient, or antibodies produced in-vitro from lymphocytes of the same species as the patient.

Claims 32-39 (canceled)

REMARKS

Claims 21-24 and 27-31 are currently active.

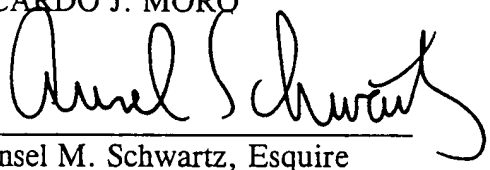
Claims 1-20, 25, 26 and 32-39 have been canceled.

The Examiner in the parent application has requested that the specification be amended to reference the parent applications and their status. Page 1 of the specification has been amended accordingly. The Examiner has requested that the data on pages 37-40 be moved to page 19, line 22, which applicant has done.

In view of the foregoing amendments and remarks, it is respectfully requested that Claims 21-24 and 27-31, now in this application be allowed.

Respectfully submitted,

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**The dating stamp of the Patent
Office on this card will be taken as an
indication that the accompanying paper
was filed.**

Serial No. _____

Paper Mailed 10/16/03

Atty's File No. MORO-1 CONT III

**NEW APPLICATION TRANSMITTAL
in triplicate**

CK. #5349 for \$385.00

**Continuation application for DETECTION
AND TREATMENT OF CANCER**

10 sheets of drawings

PRELIMINARY AMENDMENT

**- Copy of DECLARATION AND POWER
OF ATTORNEY FOR PATENT
APPLICATION**

Copy of VERIFIED STATEMENT

**17548 U.S. PTO
10/688464**



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